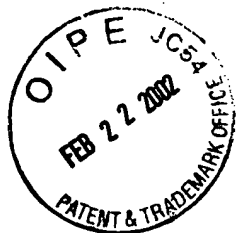


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PATENT APPLICATION
DOCKET NO.: 27943-00422USP2

**RULES 63 AND 67 (37 C.F.R. 1.63 and 1.67)
DECLARATION AND POWER OF ATTORNEY**

FOR UTILITY/DESIGN/CIP/PCT NATIONAL APPLICATIONS

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; and

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **COMBINING NARROWBAND APPLICATIONS WITH BROADBAND TRANSPORT**, the specification of which: (mark only one)

- ☐ (a) is attached hereto.
- ☒ (b) was filed on December 21, 2001, as Application Serial No. 10/028,176, and was amended on _____ (if applicable)
- ☐ (c) was filed as PCT International Application No. PCT/_____ on _____ and was amended on _____ (if applicable).
- ☐ (d) was filed on _____ as Application Serial No. _____ and was issued a Notice of Allowance on _____.
- ☐ (e) was filed on _____ and bearing attorney docket number _____.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as amended by any amendment referred to above or as allowed as indicated above.

I acknowledge the duty to disclose all information known to me to be material to the patentability of this application as defined in 37 CFR § 1.56. If this is a continuation-in-part (CIP) application, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability of the application as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this CIP application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate filed by me or my assignee disclosing the

subject matter claimed in this application and having a filing date (1) before that of the application on which my priority is claimed or, (2) if no priority is claimed, before the filing date of this application:

PRIOR FOREIGN PATENTS

<u>Number</u>	<u>Country</u>	<u>Month/Day/Year Filed</u>	<u>Date first laid-open or Published</u>	<u>Date patented or Granted</u>	<u>Priority Claimed</u>	
					<u>Yes</u>	<u>No</u>
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____

I hereby claim the benefit under 35 U.S.C. § 120/365 of any United States application(s) listed below and PCT international applications listed above or below:

PRIOR U.S. OR PCT APPLICATIONS

<u>Application No. (series code/serial no.)</u>	<u>Month/Day/Year Filed</u>	<u>Status(pending, abandoned, patented)</u>
09/764,953	January 17, 2001	Pending
_____	_____	_____

I hereby appoint:

TIMOTHY G. ACKERMANN, Reg. No. 44,493
BENJAMIN J. BAI, Reg. No. 43,481
MICHAEL J. BLANKSTEIN, Reg. No. 37,097
MARY JO BOLDINGH, Reg. No. 34,713
MARGARET A. BOULWARE, Reg. No. 28,708
MATTHEW O. BRADY, Reg. No. 44,554
DANIEL J. BURNHAM, Reg. No. 39,618
THOMAS L. CANTRELL, Reg. No. 20,849
RONALD B. COOLLEY, Reg. No. 27,187
THOMAS L. CRISMAN, Reg. No. 24,846
STUART D. DWORK, Reg. No. 31,103
WILLIAM F. ESSER, Reg. No. 38,053
ROGER J. FRENCH, Reg. No. 27,786
JANET M. GARETTO, Reg. No. 42,568
MARK GATSCHET, Reg. No. 42,569
JOHN C. GATZ, Reg. No. 41,774
RUSSELL J. GENET, Reg. No. 42,571
GERALD H. GLANZMAN, Reg. No. 25,035

LEKHA GOPALAKRISHNAN, Reg. No. 46,733
J. KEVIN GRAY, Reg. No. 37,141
STEVEN R. GREENFIELD, Reg. No. 38,166
JOSHUA A. GRISWOLD, Reg. No. 46,310
J. PAT HEPTIG, Reg. No. 40,643
SHARON A. ISRAEL, Reg. No. 41,867
JOHN R. KIRK JR., Reg. No. 24,477
PAUL R. KITCH, Reg. No. 38,206
TIMOTHY M. KOWALSKI, Reg. No. 44,192
HSIN-WEI LUANG, Reg. No. 44,213
ROBERT W. MASON, Reg. No. 42,848
ROGER L. MAXWELL, Reg. No. 31,855
LISA H. MEYERHOFF, Reg. No. 36,869
STANLEY R. MOORE, Reg. No. 26,958
P. WESTON MUSSELMAN JR. Reg. No. 31,644
DANIEL G. NGUYEN, Reg. No. 42,933
SPENCER C. PATTERSON, Reg. No. 43,849

RUSSELL N. RIPPAMONTI, Reg. No. 39,521
ROSS T. ROBINSON, Reg. No. 47,031
STEPHEN G. RUDISILL, Reg. No. 20,087
HOLLY L. RUDNICK, Reg. No. 43,065
J.I. JENNIE SALAZAR, Reg. No. 45,065
JERRY R. SELINGER, Reg. No. 26,582
JAMES O. SKARSTEN, Reg. No. 28,346
ZACHARY J. SMOLINSKI, Reg. No. 47,100
GARY B. SOLOMON, Reg. No. 44,347
STEVE Z. SZCZEPANSKI, Reg. No. 27,957
ANDRE M. SZUWALSKI, Reg. No. 35,701
ALAN R. THIELE, Reg. No. 30,694
TAMSEN VALOIR, Reg. No. 41,417
BRIAN D. WALKER, Reg. No. 37,751
GERALD T. WELCH, Reg. No. 30,332
HAROLD N. WELLS, Reg. No. 26,044
WILLIAM D. WIESE, Reg. No. 45,217

all of the firm of **JENKENS & GILCHRIST, P.C.**, 3200 Fountain Place, 1445 Ross Avenue, Dallas, Texas 75202-2799, as my attorneys and/or agents, with full power of substitution and revocation, to prosecute this application, provisionals thereof, continuations, continuations-in-part, divisionals, appeals, reissues, substitutions, and extensions thereof and to transact all business in the United States Patent and Trademark Office connected therewith, to appoint any individuals under an associate power of attorney and to file and prosecute any international patent application filed thereon before any international authorities, and I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization

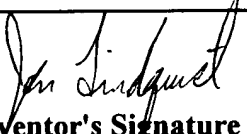
who/which first sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct them in writing to the contrary.


Please address all correspondence and direct all telephone calls to:

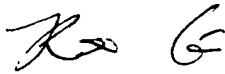
Holly L. Rudnick
Jenkins & Gilchrist, P.C.
3200 Fountain Place
1445 Ross Avenue
Dallas, Texas 75202-2799
214/855-4780
214/855-4300 (fax)


I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAMED INVENTOR(S)

1	JAN LINDQUIST		1/4/02
	Full Name	Inventor's Signature	Date
	1313 San Mateo Drive Allen, Texas 75013 Residence (city, state, country)		
	Swedish Citizenship		
	1313 San Mateo Drive Allen, Texas 75013 Post Office Address (include zip code)		

2	HANS GUNDERSEN		1/4/02
	Full Name	Inventor's Signature	Date
	1416 Woodoak Drive Richardson, Texas 75082 Residence (city, state, country)		
	Norwegian Citizenship		
1416 Woodoak Drive Richardson, Texas 75082 Post Office Address (include zip code)			

3	KRISTINA GORHAMMAR		1/11/02
	Full Name	Inventor's Signature	Date
	Jagersdalsvagen 17 SE-150 21 Molnbo SWEDEN Residence (city, state, country)		
Jagersdalsvagen 17 SE-150 21 Molnbo SWEDEN Post Office Address (include zip code)			Swedish Citizenship

4	JAN SJOLUND		1/11/02
	Full Name	Inventor's Signature	Date
	Foreningsvagen 14 SE-132 37 Saltsjo-Boo SWEDEN Residence (city, state, country)		
Foreningsvagen 14 SE-132 37 Saltsjo-Boo SWEDEN Post Office Address (include zip code)			Swedish Citizenship